

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS AND COMPLAINT, CIVIL COVER SHEET**
 EFFECTED (1) BY ME: **MALGORZATA SLADEK**
 TITLE: **PROCESS SERVER**

DATE: 01/22/2008 03:30PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

[] Served personally upon the defendant:
BANAFSH REALTY INC.

Place where served:

57 5TH AVE NEW YORK NY 100##

[] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

JOHN DOE - REFUSED TO GIVE NAMERelationship to defendant: **MANAGING AGENT**

Description of person accepting service:

SEX: **M** AGE: **51-65** HEIGHT: **5'9"-6'0"** WEIGHT: **161-200 LBS.** SKIN: **BROWN** HAIR: **BLACK** OTHER: _____

[X] To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

As per an employee at this address that was sitting at the entrance of this facility, state that he was not authorized to accept, but he would go get the (manager) who was authorized to accept for any legal documents . When the (manager) came out the server stated to him what she was there for and what kind of documents she had, then that's when he refused to give any more information to the server. He refused to give his name

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 1/25/2008

Malgorzata Sladek L.S.
 SIGNATURE OF MALGORZATA SLADEK
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

Carla P. Gomes

ATTORNEY: N. ARI WEISBROT, ESQ.
 PLAINTIFF: HABIBOLLAH KERMANSHAH
 DEFENDANT: ABBAS KERMANSHAH, ET AL
 VENUE: DISTRICT SDNY
 DOCKET: 08 CV 00409

CARLA P. GOMES
 NOTARY PUBLIC OF NEW JERSEY
 My Commission Expires Oct. 27, 2009

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

HABIBOLLAH KERMANSHAH

SUMMONS IN A CIVIL ACTION

v.

ABBAS KERMANSHAH, , ET ALS.

CASE NUMBER: 08 CV 00409

TO: (Name and address of Defendant)

BANAFSH REALTY, INC.
57 FIFTH AVENUE
NEW YORK, NEW YORK 10003

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

N. ARI WEISBROT, ESQ.
SHAPIRO & CROLAND, ESQS.
CONTINENTAL PLAZA II
411 HACKENSACK AVENUE
HACKENSACK, NEW JERSEY 07601

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JAN 16 2008

CLERK

DATE

(By) DEPUTY CLERK